

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GABRIEL HERNANDEZ.

No. C 08-4085 SI (pr)

Petitioner,

ORDER DENYING CERTIFICATE OF APPEALABILITY

V.

KELLY HARRINGTON, Acting Warden,

Respondent.

15 The court denied a certificate of appealability in its July 1, 2011 Order Denying Habeas
16 Petition and Denying Certificate of Appealability. Thereafter, petitioner filed an application for
17 a certificate of appealability. A certificate of appealability will not issue. Reasonable jurists
18 would not "find the district court's assessment of the constitutional claims debatable or wrong."
19 Slack v. McDaniel, 529 U.S. 473, 484 (2000). The application for a certificate of appealability
20 is DENIED. (Docket # 35.) All further motions should be filed in the U.S. Court of Appeals
21 for the Ninth Circuit.

IT IS SO ORDERED.

DATED: September 13, 2011

Susan Illston
SUSAN ILLSTON
United States District Judge